

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

PREMIUM MORTGAGE CORP., on behalf of
itself and all other similarly situated,

Plaintiff,

**NOTICE OF MOTION
AND MOTION**

-VS-

EQUIFAX INFORMATION SERVICES, LLC,
a Georgia limited liability company,
TRANS UNION LLC, a Delaware limited
liability company, EXPERIAN INFORMATION
SOLUTIONS INC., an Ohio corporation, and
CREDIT PLUS, INC., a Maryland corporation,
individually and as a representative of similarly
situated defendants,

Civil Action No. 07-CV-6349

Defendants.

PLEASE TAKE NOTICE, that upon the accompanying Memorandum of Law, the defendants, Equifax Information Services, LLC, Trans Union LLC and Experian Information Solutions, Inc., by their attorneys, will move this Court, at a Motion Term thereof, to be held at the United States Courthouse, 100 State Street, Rochester, New York, at a time to be scheduled by the Court, for an Order pursuant to Fed. R. Civ. P. 12(b)(6):

1. Dismissing the Amended Complaint (Docket No. 07-CV-6349) on the ground that it fails to state a cause of action; and
2. Granting the above-referenced defendants such other and further relief as the Court deems just and proper.

Pursuant to the Local Rules of this Court, oral argument is requested. The above-referenced defendants hereby advise the parties of their intention to serve reply papers in accordance with the Local Rules of this Court.

Dated: September 28, 2007

HARRIS BEACH PLLC

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PREMIUM MORTGAGE CORP.,
on behalf of itself and all others similarly
situated,

Plaintiff,

vs.

EQUIFAX INFORMATION SERVICES,
LLC, a Georgia limited liability company,
TRANS UNION LLC, a Delaware limited
liability company, EXPERIAN
INFORMATION SOLUTIONS INC., an
Ohio corporation, and CREDIT PLUS,
INC, a Maryland corporation, Individually
and as a Representative of Similarly
Situated Defendants.

Defendants.

I hereby certify that on September 28, 2007, I electronically filed the foregoing NOTICE OF MOTION AND MOTION with the Clerk of the District Court using the CM/ECF system, which sent notification of such filing to the following

HARRIS BEACH LLP
ATTORNEYS AT LAW

Dated: September 28, 2007
New York, New York

By: /s/ Meir Feder

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